

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2000-207-W/S - ORDER NO. 2001-756

AUGUST 16, 2001

IN RE: Application of Carolina Water Service, Inc.)	ORDER GRANTING
for Approval of an Increase in its Rates for)	EXTENSION TO ISSUE
Water for all its Service Areas and Sewer)	ORDER
Service for certain of its Service Areas.)	

This matter comes before the Public Service Commission of South Carolina ("Commission") on consideration of the Application of Carolina Water Service, Inc. ("CWS") requesting an increase in its rates for water and sewer service.

This case was set for hearing on July 11, 2001, and the hearing on this matter was started on July 11, 2001. However, the case was not completed on July 11, 2001, and due to the death of a family member of a lawyer involved in the case, the hearing could not be completed during the week of July 11, 2001. Circumstances involving scheduling of other hearings on the Commission's hearing calendar, as well as witnesses' schedules, prevented the hearing from being concluded until August 6, 2001. The parties filed briefs with the Commission on August 10, 2001, and the matter was placed on the Commission's agenda for consideration on August 14, 2001.

Under S.C. Code Ann. Section 58-5-240(C) (Supp.2000), the Commission must issue its Order ruling on the proposed rates schedules in the Application within six months after the date the schedules are filed. The Application was filed with the Commission on February 23, 2001. Therefore, pursuant to S.C. Code Ann. Section 58-9-

240(C) (Supp. 2000), the Commission should issue its Order by August 23, 2001. However, S.C. Code Ann. Section 58-5-240(D) (Supp.2000) provides that “[s]hould the Commission determine that it cannot, due to circumstances reasonably beyond its control, issue such order within the six-month period prescribed by this section, the Commission, may, by order, extend the six-month period for an additional five days.”

Upon consideration of the matter before the Commission, the Commission makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. On February 23, 2001, CWS filed an Application with this Commission seeking an increase in rates and charges for water and sewer service.
2. The Commission started a hearing on the Application on July 11, 2001. However, the hearing was not completed until August 6, 2001.
3. The hearing that began on July 11, 2001, was not completed during the week of July 11, 2001, due to the death of a family member of one of the attorneys involved in the case. The fullness of the Commission’s hearing calendar and witnesses’ schedules prevented the hearing from being concluded prior to August 6, 2001.
4. The parties filed briefs in this case on August 10, 2001, and the matter appeared on the Commission’s agenda for consideration on August 14, 2001.
5. Due to the complexity of the case, the Commission needs additional time to consider the merits of the case.
6. S.C. Code Ann. Section 58-5-240 (Supp.2000) requires the Commission to issue its Order ruling on the proposed rate schedules within six months after the date the

schedules are filed. However, S.C. Code Ann. Section 58-5-240(D) (Supp.2000) provides that the Commission may extend the six-month period for an additional five days should the Commission determine that it cannot, due to circumstances reasonably beyond its control, issue its Order within the six-month period.

CONCLUSIONS OF LAW

Based upon the Findings of Fact as listed above, the Commission makes the following Conclusions of Law:

1. The Commission concludes in the instant matter, that the continuation of the hearing until August 6, 2001, due to the death of a family member of a lawyer involved in the case, the fullness of the Commission's hearing calendar, and witnesses' schedules, constitutes circumstances reasonably beyond the Commission's control as described in S.C. Code Ann. Section 58-5-240(D) (Supp.2000).

2. The Commission concludes it appropriate to extend the six-month period for issuing the Order in the instant matter for an additional five days, as provided for in S.C. Code Ann. Section 58-5-240(D) (Supp.2000), so that the Commission may fully consider the merits of the case.

IT IS THEREFORE ORDERED THAT:

1. The six-month period to issue the Order in the instant matter as required by S.C. Code Ann. Section 58-5-240(C) (Supp.2000) is extended by an additional five days as allowed by S.C. Code Ann. Section 58-5-240(D) (Supp.2000). With the six-month period extended by five days, the Commission's Order in this matter must be issued by August 28, 2001.

2. Staff is instructed to place this matter on the agenda for the Commission's meeting scheduled for August 21, 2001.

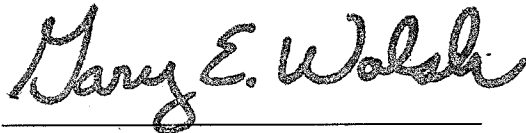
3. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



Chairman

ATTEST:



Executive Director

(SEAL)